

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Bleu Blaze Donahue v. Darren Hoschouer

Donahue · No. 6:26-cv-00152-AP · Decided April 9, 2026

OPINION

Donahue

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

EUGENE DIVISION

BLEU BLAZE DONAHUE, Civ. No. 6:26-cv-00152-AP Plaintiff, ORDER v.

DARREN HOSCHOUER,

Defendant. _____ AIKEN, District Judge: Before the Court is a Findings and Recommendation (“F&R”) filed by Magistrate Judge Amy E. Potter, ECF No. 12. Judge Potter recommends that self- represented Plaintiff’s Motion for Leave to File an Amended Complaint, ECF No. 7, be denied and that the case be dismissed for failure to state a claim. For the reasons explained below, the Court ADOPTS Judge Potter’s F&R, ECF No. 12, in full. The case is DISMISSED with prejudice. All pending motions are MOOT.

LEGAL STANDARDS

Under the Federal Magistrates Act, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). If a party files objections to a magistrate judge’s findings and recommendations, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.*; Fed. R. Civ. P. 72(b)(3). For those portions of a magistrate judge’s findings and recommendations to which neither party has objected, the Act does not prescribe any standard of review. See *Thomas v. Arn*, 474 U.S. 140, 152 (1985) (“There is no indication that Congress, in enacting [the Act], intended to require a district judge to review a magistrate’s report to which no objections are filed.”). Although no review is required in the absence of objections, the Magistrates Act “does not preclude further review by the district judge[] sua sponte . . . under a de novo or any other standard.” *Id.* at 150. The Advisory Committee Notes to Fed. R. Civ. P. 72(b) recommend that “[w]hen no timely objection is filed,” the court should review the recommendation for “clear error on the face of the record.” Here, Plaintiff filed Objections, ECF Nos. 14, 15, 18, 19, and several additional motions, ECF Nos. 10, 16, 20. The Court has reviewed the record, the F&R, and the four documents that contain objections and finds no error. The Court has also reviewed the additional pending motions and finds them without merit and moot. The Findings and Recommendation, ECF No. 12, is therefore ADOPTED.

CONCLUSION

For the reasons explained above, the Court ADOPTS Judge Potter's F&R, ECF No. 12, in full. The case is DISMISSED with prejudice. All pending motions, ECF Nos. 10, 16, 20, are MOOT. Final judgment shall be entered accordingly. It is so ORDERED and DATED this __9_t_h__ day of April 2026. /s/Ann Aiken

ANN AIKEN

United States District Judge